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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,040	09/16/2005	Philipp Huemer	14219-083US1 P2002,0763 U	2757
26161	7590	12/29/2009	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			PATEL, DHARTI HARIDAS	
			ART UNIT	PAPER NUMBER
			2836	
			NOTIFICATION DATE	DELIVERY MODE
			12/29/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

***Response to Arguments***

Applicant argues that “independent claims 1 and 13 continue to specify that the housing has an upper side that completely covers the first electrical component and the second electrical component and that protects the first electrical component and the second electrical component from a contact voltage. The applied art is not understood to disclose or to suggest this feature of the claims.”

The housing comprises case 21, Fig. 5 and the sealing lid explicitly stated in col. 5 lines 66-67, Katsuki U.S. 6,188,307. The sealing lid is the recited “upper side” of the housing that completely covers the first and second electrical components.

Applicant argues that the recited “housing” should be read as a single contiguous structure, because of the way it is referenced in the spec. Applicant’s spec does not strictly define a housing as only a single contiguous structure. A mere reference or indication is not the same as a definition. Therefore, it would be inappropriate for the examiner to import the “single contiguous structure” meaning into the claim. There is no claim language that supports the housing being only a single contiguous structure. Applicant’s claim is open-ended, using the term comprising, which suggests to one of ordinary skill that the housing could be comprised of more than one piece.

Regardless of the intended meaning of “housing”, since a “sealing” lid is explicitly disclosed by Katsuki, one of ordinary skill would reasonably construe “sealed” to mean “contiguous” when the lid is closed, and sealed.

Applicant points to col. 6 lines 21-57 as showing the upper portion of case 21 is open, so that laser trimming can occur in order to balance the resistances of the

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thermistor devices 25 and 26. This statement has no bearing on the desirability to close the housing at a later time after laser trimming is accomplished, using the sealing lid, for the benefit of preventing dust and debris from entering case 21 and altering the resistances of the balanced thermistors 25 and 26 (*such benefit being inherent to a sealing lid*).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHARTI H. PATEL whose telephone number is (571)272-8659. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DHARTI H. PATEL/  
Examiner, Art Unit 2836  
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/Ronald W Leja/  
Primary Examiner, Art Unit 2836  
12/18/2009